

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: OZAKI=10

In re Application of: Conf. No.: 8089 Kouki OZAKI et al Art Unit: 3728

Appln. No.: 10/724,368 Examiner:

Filed: December 1, 2003 Washington, D.C.

For: CONTAINER SUITABLE FOR USE) June 30, 2006

IN TRANSPORTATION...

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents U.S. Patent and Trademark Office Customer Service Window Randolph Building, Mail Stop AMENDMENT 401 Dulany Street Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §\$1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the aboveidentified application, and any other application relying on the filing date of the above-identified application or crossreferencing it as a related application.

- [X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:
- [] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- [] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114; or

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- [X] C. after (A) and (B) above, but before final rejection or allowance, and Applicant has made the necessary certification (box "i" below) or paid the necessary fee (box "i" below):
 - [] i. Counsel certifies that, upon information and belief, each item of information listed herein either was
 - [] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
 - [] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, not known to any individual designated in 37 CFR \$1.56(c) more than three months prior to the filing of this IDS.
 - [X] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR \$1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035 of the undersigned.
- [X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached.
- [X] 3. Documents $\underline{AB-AF}$ are not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant states:

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- [X] An English translation of each document <u>AD and AF</u> (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.
- [X] A concise explanation of the relevance of documents AB, AC, and AE is found in the attached Japanese Office Action (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
- [X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).
- [X] 5. Other information being provided for the examiner's consideration follows:

English Translation of Japanese Office Action, dated August 30, 2005.

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK Attorneys for Applicant(s)

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Complete if Known Substitute for form 1449A/PTO 10/724,368 INFORMATION DISCLOSURE **Application Number** December 1, 2003 Filing Date STATEMENT BY APPLICANT Kouki OZAKI et al First Named Inventor 3728 **Group Art Unit** (use as many sheets as necessary) **Examiner Name** Sheet Attorney Docket Number OZAKI=10

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	U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear					
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		FOREIC	ON PATENT DO	CUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	AB	JP 61-69072 U	05-12-1986			х
	AC	JP 64-47662 U	03-23-1989			х
	AD	JP 02-082083 A	03-22-1990	FUKUDA RYUHEI		ABS
	AE	JP 03-29476 U	03-25-1991			х
	AF	JP 2000-327078 A	11-28-2000	DAINIPPON PRINTING CO LTD		ABS
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Examiner	Date			
Signature	Considered			

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language Translation is attached.